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OLC-69-0232

19 MAR 1969

MEMORANDUM FOR: Office of Planning, Programming and Budgeting

SUBJECT: Office of Legislative Counsel
Program Call FY 1971 - FY 1975

1. Progress towards current objectives. The Office of Legislative Counsel's primary objectives spring from its regulatory responsibility for all congressional matters arising in connection with the official business of the Agency and involves specifically: keeping the Director fully and properly informed on congressional matters; liaison with the Congress, its members, and committees, their staffs, and legislative staffs of other Executive agencies; review of proposed legislation and preparation and submission of Agency legislative programs when appropriate; and the supervision and handling of congressional correspondence and inquiries:

a. Keeping the Director properly and fully informed. The Director is kept informed of congressional matters affecting the Agency by OLC based on information obtained: from internal and external sources (as the focal point for congressional matters within the Agency); as a result of a program of continuous contact with the staffs of the four Subcommittees having primary responsibility for CIA in the Congress; as a result of regular contact with staff members of other key congressional committees, subcommittees and joint committees; from frequent contact, on a target of opportunity or programmed basis, with individual senators and congressmen; as a result of pursuing working relationships with interested officers and employees of other Executive agencies; and from other sources, including published information. Important achievements, during the past year, towards the objective of keeping the Director and other Agency officials informed of major congressional developments in sufficient time to permit the initiation of an Agency course of action, where called for, included:

(1) Maintaining effective two-way working relationships with the principal staff members of all four CIA Subcommittees and developing appropriate relationships with other staff members of these Subcommittees against the contingency of personnel turnover.

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(2) Developing a two-way working relationship with staff members of other key committees, subcommittees, and joint committees in the House of Representatives and in the Senate.

(3) Meeting with individual senators and representatives on a programmed and target of opportunity basis; with key members of their individual staffs, the vast majority of such meetings producing information of value to the Agency.

(4) Establishing a number of helpful working relationships with responsible officers of other Executive agencies who deal with matters of interest to OLC and who are valuable sources of information, particularly in the field of legislation.

(5) Reviewing printed material on issues, attitudes, and positions of current or probable future interest to the Agency including: 32,000 pages of the Congressional Record; 8,700 legislative items; 1,650 reports on legislation, and other sources, including committee hearings.

b. Congressional relations. The primary objective of congressional relations is to maximize acceptance and support of the Agency's position in matters involving the Agency. Attaining this objective depends primarily upon the merits of the Agency's position. However, attention to and acceptance of the Agency's position is in many instances influenced by the Agency's image, which in turn is dependent in large measure upon the effectiveness with which the Agency responds to and fulfills the legitimate needs of Congress and its members. The Agency's responses to these needs, almost without exception, have been of high quality and timely, thus reflecting creditably upon the Agency as a truly professional organization, competently fulfilling its responsibilities. This important accomplishment has created a favorable climate for the Agency's legislative needs, its appropriations, access to information, and appropriate support in the Congress when needed. The programs primarily responsible for this accomplishment are:

(1) Formal briefings by the Director of the four CIA Subcommittees and other committees.

(2) Formal and informal briefings of committees by other Agency officials.

(3) Informal briefings of members and staff personnel both on the Hill and at the Agency.

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(4) Briefings of members and staff personnel at overseas stations or domestic installations.

(5) Making information available when it was helpful to CIA Subcommittees or their members.

c. Legislative program. The primary objective of this program is to propose (directly or indirectly) legislation to cover the specific needs of the Agency; to screen legislative proposals introduced in the Congress--bringing to the attention of responsible Agency officials those which may impair Agency interests and those which provide information on developments in particular substantive fields of interest; to assure a coordinated Agency position on requests for comments on pending legislation from the Bureau of the Budget, other Government agencies, and committees of Congress; and to initiate appropriate communications and measures in connection with legislation to protect or advance the Agency's interest. Achievements to these ends were:

(1) An important amendment to the CIA Retirement Act permitting the more timely adjustment of annuities to reflect cost-of-living increases was enacted during the Second Session of the 90th Congress. Nine other amendments to the CIA Retirement Act, of lesser priority, were deferred.

(2) The Agency, by Senate floor amendment, was exempted from the ceiling and expenditure controls of the Revenue and Expenditure Control Act of 1968. Ultimately, the exemption was dropped in Conference, but the action was a further milestone of congressional recognition of the unique nature of the mission and responsibility of the Agency and of individual senators being sensitive to and willing to work for the Agency's needs.

(3) The CIA Retirement Act, along with the Foreign Service and Civil Service Retirement Acts, was included by the House Ways and Means Committee in amendments to the Social Security Act to increase the protection of employees and former employees in survivorship or disability situations. While this provision of the Social Security Amendments of 1968 was dropped from the bill reported by House Ways and Means Committee, this action on the part of that Committee to include the CIA

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Retirement Act in the provisions of the bill is considered a milestone of that important Committee's receptiveness to the legislative needs of the CIA Retirement Act, and this Agency.

(4) A change in the language of the Safe Streets and Crime Control Act (P.L. 90-351) was initiated by the Agency which clearly permits the use of electronic surveillance "to obtain foreign intelligence information deemed essential to the security of the United States." This is the first statutory approval for obtaining information through these means and is considered a significant achievement.

(5) The so-called Eastland bill, to close gaps in internal security laws and Government personnel security, was revised with the Committee so that its language would not impair CIA's authorities. While no further action was taken on the bill, it is quite possible that favorable action will be taken on it in subsequent Congresses in a form that is acceptable to the Agency.

(6) In connection with S. 1035, constitutional rights of Government employees, the Agency had limited success in obtaining an exemption in the Senate in 1967 from certain features of the bill which would impair Agency authorities and personnel security programs, but a receptive hearing on the House side in the Manpower and Civil Service Subcommittee strengthens the Agency's position when the issue is rejoined in the 91st Congress.

(7) Screening legislation, including 8,700 bills and 1,650 related committee reports, for possible Agency interest and, when interest is apparent, arranging for distribution to proper Agency components for information and/or substantive review. This program is considered an important aspect of our overall effort to assure against the conscious or inadvertent impairment of Agency authorities or programs through legislation.


d. Congressional correspondence and inquiries. It is considered a major significant achievement that individual requests for assistance to the Congress were fulfilled in a timely and competent manner; and that of the 1,400 personal contacts and 1,000 correspondence items involved in this effort in 1968, not one resulted in a major flap, although admittedly the vast majority were routine in nature.

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2. Objectives for the period FY 1971 - FY 1975. The objectives of the Office of Legislative Counsel for the period FY 1971 - FY 1975 will parallel those detailed in the previous section of this report in connection with the four major functional responsibilities of the Office. No significant change in any of the programs discussed in the previous section are envisaged at this time, but changes will be made and new programs instituted as, and if, required to accommodate new conditions.

3. Program plans. The program plans of the Office of Legislative Counsel are shaped, for the most part, by the changing needs of the Agency as well as the changing requirements of the Congress, with its almost unlimited legislative and investigative prerogatives and its dependency upon various constituencies. The program plans for the period FY 1971 - FY 1975 will be substantially similar to those detailed in section 1 of this report, but they will remain flexible, not overly structured, so that emphasis may be given to priority matters and changing conditions as they arise from time to time. The congressional relations program will continue to be governed by the underlying principle of responding fully, accurately, and promptly to the legitimate needs of congressional members, committees, and their supporting staff personnel, with full recognition being given to the overriding considerations of security, executive integrity, and the primacy of the four CIA Subcommittees. The activities projected for this office over the period FY 1971 - FY 1975 will no doubt involve both a wider spectrum of subjects and a quantitative acceleration. Even so, the small resource allocation increase reflected in the attached "Summary of Funds and Position Requirements" should be sufficient to accommodate this projected increase in activity as the foundations of the programs now in existence are firm.

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Attachment

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